



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Garry Bredefeld**, Acting Council President  
**Chris Mathys**,  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquillo**  
**Ken Steitz**

Interim City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, OCTOBER 24, 2000**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation

Pledge of Allegiance to the Flag

Proclamation of "LARRY WILLEY DAY" - All Councilmembers

Presentation of Certificates to the Student of the Quarter for the Schools in District 7 - Councilmember Perea

Proclamation of "SHIRLEY BAPTISTA DAY" - Councilmember Mathys

Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter  
(*Reception immediately following - 2<sup>nd</sup> floor foyer*)

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve minutes of October 17, 2000

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS**

**10:00 A.M.#1**      **HEARING** to consider Plan Amendment Application No. A-00-06, filed by the City of Fresno, to amend the Butler/Willow Specific Plan and Roosevelt Community Plan from the "bike path" to the "bike lane" designation    (*Continue to 10/31/00 @ 10:30 a.m.*)

**Action Taken:**

**10:00 A.M.#2**      **HEARING** to consider Plan Amendment Application No. A-00-11, filed by Paynter Realty and Investment, to designate Winery Avenue as a through public street between East Lane Avenue and East Kings Canyon Road    (*Continue to 10/31/00 @ 10:45 a.m.*)

**Action Taken:**

**10:00 A.M.#3** **JOINT MEETING OF THE REDEVELOPMENT AGENCY**

Approve minutes of October 17, 2000

**Action Taken:**

#### **AGENCY GENERAL ADMINISTRATION**

**A. RESOLUTION** - Of intent to approve authorization for Redevelopment Agency to enter into an agreement with the California Public Employees' Retirement System for the provision of retirement benefits to employees of the Agency

**Action Taken:**

**B.** Report to and receive direction from the Agency Board with regard to initiation of a Redevelopment Action Program for the block bounded by Fresno, "A," Merced and "B" Streets in the Southwest Fresno General Neighborhood Renewal Area Redevelopment Project

**Action Taken:**

**C.** Consideration of request from Civic Center Square, Inc., for a time extension for commencement of construction on property bounded by Tulare, "N," Main and "O" Streets

**Action Taken:**

#### **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**AGENCY GENERAL ADMINISTRATION CONTINUED**

- D. Direct City Manager and the Redevelopment Director to examine the feasibility of creating a park and ride lot locations and recommended areas within the downtown area. Form a Task Force made up of County of Fresno, Federal and State for the purpose of determining parking needs and participation - Councilmember Ronquillo

**Action Taken:**

- E. Direct Redevelopment Director to prepare a work plan to outline the ingress and egress to the baseball stadium. Identify all parking structures, cost, and identification of funds for the project - Councilmember Perea

**Action Taken:**

**ADJOURN AGENCY**

- 10:05 A.M.** Consider approval for a Council override vote of Resolution Nos. 2000-305 and 2000-306, the Agreement between the City of Fresno, Fresno Grizzlies, Inc., and the Fresno Diamond Group, LLC, concerning Construction and Sublease of a multipurpose stadium, the Non-Relocation and Continuing Operation Agreement, the Pledge Agreement and the Parking Agreement vetoed by Mayor Patterson on October 18, 2000 (*Council action to override Mayoral veto requires 5 affirmative votes*) - Acting President Bredefeld and Council President Boyajian

1. Agreement between the City of Fresno, Fresno Grizzlies, Inc., and Fresno Diamond Group, LLC, concerning construction and sublease of a multipurpose stadium [30-year Lease Agreement]

**Action Taken:**

2. Non-Relocation and Continuing Operation Agreement between the Fresno Diamond Group, LLC, Fresno Grizzlies, Inc., Tucson Toros, Inc., and the City Of Fresno

**Action Taken:**

3. Pledge Agreement between the Fresno Diamond Group, LLC, Fresno Grizzlies, Inc., Tucson Toros, Inc., and the City of Fresno

**Action Taken:**

4. Parking Agreement between the Redevelopment Agency of the City of Fresno, the City of Fresno and the Fresno Diamond Group

**Action Taken:**

5. **RESOLUTION No. 2000-305** - Approving Disposition and Development Agreement (D&DA) by and between the City Of Fresno and the Redevelopment Agency of the City of Fresno, and making certain findings pursuant to the California Community Redevelopment Law, for the Proposed Multipurpose Stadium Project in the Merger No. 1 Project Area

**Action Taken:**

6. **RESOLUTION NO. 2000-306** - Approving a financing plan for construction of a multipurpose stadium to be located in downtown Fresno; authorizing the appointment of an Underwriter, Financial Advisor, Trustee and Bond Counsel in connection with the financing; and authorizing the taking of all necessary actions to proceed with the financing

**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:15 A.M.#1**      **CONTINUED TEFRA HEARING** relating to the Saint Agnes Revenue Bonds  
(Continue to 10/31/00 @ 9:45 A.M.)  
**Action Taken:**

**10:15 A.M.#2**      Report on performance of the Fresno Police Department - Councilmember Steitz  
**Action Taken:**

**10:45 A.M.**      **HEARING** to consider Site Plan Review Application No. S-00-266 and environmental findings, filed by Don Pickett and Associates, Inc., for approximately 0.36 acre of property located at 4767 East McKinley Avenue  
**Action Taken:**  
a.    **RESOLUTION** - Conditional approval of Site Plan Review Application No. S-00-266  
**Action Taken:**

**11:15 A.M.**      Appearance by Felipe Camacho to express concern for lack of construction of train overcrossings throughout the City when funding has been provided and to also request consideration of construction of bridge over the canal near San Joaquin Memorial High School  
**Action Taken:**

**2:00 P.M.#1**      **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2**      **CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6  
(Councilmember Quintero)  
**City Negotiator(s):** Jorge Aguiniga and Andrew T. Souza  
**Employee Organization(s):**  
1. Fresno Police Officers Association Non-Supervisory Police (FPOA)  
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)  
3. International Association of Firefighters, Local 753 Fire Management (IAFF)  
**Action Taken:**
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)  
1. **Case Name:** Michael T. Murphy v. County of Fresno, et al.  
2. **Case Name:** Jose Duenas Nunez v. City of Fresno  
3. **Case Name:** Nottoli CMC v. City of Fresno, Community Hospitals of Central California  
**Action Taken:**
- C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - FRIEND-OF-THE-COURT-PARTICIPATION** - Government Code Section 54954.5, Subdivision (c)  
1. **Case Name:** Cornette v. Department of Transportation, Supreme Court No. S089010  
2. **Case Name:** Lim v. City of Long Beach  
3. **Case Name:** Alameda Books, Inc. v. City of Los Angeles  
**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**2:55 P.M.** Appearance by Barbara Hunt to discuss the boundaries for West Fresno and Southwest Fresno, the Chinatown expansion and the 20% tax increment to be used for affordable housing

**Action Taken:**

**3:00 P.M.** **CONTINUED HEARING** on prime contractor's request pursuant to Public Contract Code Section 4107 to substitute subcontractors based on claim of failure to perform subcontract for the Pilibos Soccer Park Project

**Action Taken:**

**5:00 P.M.** **HEARING** to consider Plan Amendment Application No. A-00-03, Rezoning Application No. R-00-04, and Environmental Assessment No. A-00-03, R-00-04, C-00-60, filed by George Beal, for a 1.8-acre parcel on the southwest corner of North Maple and East Shepherd Avenues

**Action Taken:**

1. Consider Environmental Assessment/Mitigated Negative Declaration No. A-00-03, R-00-04, C-00-60, dated May 1, 2000

**Action Taken:**

2. **RESOLUTION** - Amending the Woodward Park Community Plan (*Planning Commission Recommendation*)

**Action Taken:**

3. **RESOLUTION** - Amending the Woodward Park Community Plan (*Applicant Request*)

**Action Taken:**

4. **BILL** - Amending the Official Zone Map to rezone the property from the AE-20/UGM to the C-1/UGM zone district (*Applicant Request*)

**Action Taken:**

**1A. **GENERAL CONSENT CALENDAR****

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICHEVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

1. Authorize the Chief of Police or his designee to submit applications and any other relevant documentation to the California Office of Traffic and Safety to receive \$379,444 to undertake Fresno DUI Public Awareness Project and Child Safety Public Information and Education Projects

**Action Taken:**

2. \* **RESOLUTION** - 54<sup>th</sup> amendment to AAR No. 2000-183 re-appropriating \$52,000 of unexpended FY 2000 State of California Supplemental Law Enforcement Services Funds (*Requires 5 affirmative votes*)

**Action Taken:**

3. Award a requirements contract for one (1) ton cab and chassis trucks

**Action Taken:**

**1A. **GENERAL CONSENT CALENDAR CONTINUED****

4. Request approval to sell a surplus water well site near Mono and Seventh Street

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**Action Taken:**

5. \* **RESOLUTION** - Approving the summary vacation of a portion of a public pedestrian easement on the north side of Herndon Avenue west of Pleasant Avenue

**Action Taken:**

6. **RESOLUTION** - Of intention to annex final map of Tract Nos. 4945 and 4951 as annexation No. 24 to the City of Fresno Community Facilities District No. 2, and to authorize the levy of special taxes, and setting a public hearing on the annexation for November 28, 2000, at 10:00 a.m.

**Action Taken:**

7. \* **RESOLUTION** - 56th amendment to AAR No. 2000-183 appropriating \$6,396,100 of the 2000 Federal Transportation Administration (FTA) Urban Area Formula Grant and \$999,100 of Transit Local Match Reserves (*Requires 5 affirmative votes*)

**Action Taken:**

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. Introduction of Bills amending Sections of the Fresno Municipal Code relating to the Deferred Retirement Option Program
- a. \* **BILL** - Amending Section 2-1744 of the Fresno Municipal Code relating to post-retirement options available to DROP participants in the Fire and Police Retirement System

**Action Taken:**

- b. \* **BILL** - Amending Sections 2-1744A of the Fresno Municipal Code relating to post-retirement options available to DROP participants in the Fire and Police Retirement System

**Action Taken:**

- c. \* **BILL** - Amending Section 2-1852 of the Fresno Municipal Code relating to post retirement options available to DROP participants in th Employees Retirement System

**Action Taken:**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Approved reappointments of Kendall Groom and Robert Booher to the Fresno Metropolitan Flood Control District (*For adoption*) - Mayor Patterson

**Action Taken:**

- B. Response to 1999-2000 Grand Jury report

**Action Taken:**

3. **GENERAL ADMINISTRATION CONTINUED**

- C. Designation of Enterprise Zone acreage for APN 458-071-010 located at Nielsen and West Avenues

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**Action Taken:**

1. **RESOLUTION** - Regarding the above

**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Approved appointment of Mary J. Kight to the Commission on the Status of Women - (*For adoption*) - Councilmember Perea

**Action Taken:**

- B. \* **RESOLUTION** - 55th amendment to AAR No. 2000-183 appropriating \$39,700 of CDBG funds recently disencumbered from the Kings Canyon/Ventura Commercial Rehabilitation Program for the Pilibos Park Project (*Requires 5 affirmative votes*)

**Action Taken:**

- C. \* **RESOLUTION** - 57th amendment to AAR No. 2000-183 appropriating \$1,500 of District 4's general fund infrastructure budget to fund the NFL Gatorade Punt Pass and Kick Competition (*Requires 5 affirmative votes*) - Councilmember Steitz

**Action Taken:**

- D. Request the City Manager to take action against illegal dump operator, issue cease and desist order to remove all illegal waste from property located at 5965 N. Golden State - Councilmember Mathys

**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

Oct. 31 - 9:30 A.M. Presentation by City of Fresno Historic Preservation Commission State of Historic Preservation Report

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

**Oct. 31 - 9:45 A.M. CONTINUED TEFRA HEARING** relating to the Saint Agnes Revenue Bonds

**Oct. 31 - 10:00 A.M.** Presentation of Employee Service Awards (*Reception immediately following - 2<sup>nd</sup> floor foyer*)

**Oct. 31 - 10:30 A.M. CONTINUED HEARING** P.A. No. A-00-06, change bike path to bike lanes on Butler/Willow Specific Plan Area

**Oct. 31 - 10:45 A.M. CONTINUED HEARING** P.A. No. A-00-11, designate S. Winery Avenue as a through street between E. Lane Avenue and E. Kings Canyon Road

**Oct. 31 - 11:00 A.M.** Council position on Westlands Water District and east side farmers water issue - Councilmember Perea

**Oct. 31 - 11:15 A.M. HEARING** re: partial cancellation Ag Contract No. 8, filed by Fowler Packing

**Nov. 7 - NO MEETING**

**Nov. 14 - 8:30 A.M.** Council/Agency consideration of relocation plan for Phase II of Regional Medical Center

**Nov. 14 - 10:00 A.M. HEARING** re: P.A. No. A-00-013, filed by Scott Ellis, Jr., property located at 7525 N. Cedar Avenue

**Nov. 14 - 10:15 A.M. HEARING** re: Tentative Tract Map No. 4974, filed by Trend Homes

**Nov. 14 - 10:30 A.M. HEARING** re: Rezone Appl. No. R-00-28, filed by Jim Logan to rezone property located at 3004 N. Blackstone Avenue

**Nov. 14 - 5:00 P.M. CONTINUED HEARING** to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development

**Nov. 27 - 30** General Plan Hearings

**Nov. 28 - 10:00 A.M. HEARING** re: Annexation No. 24 of CFD No. 2

**Dec. 4 - 8** General Plan Hearings (*if needed*)

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***